

"The union of takes-the union of lands-The union of States none can sever-The onton of hearts-the onion of hunds-And the fing of our Union forever."

Knoxville, Tenn., July 25, 1866.

C. S. HURBARD, No. 24, Broad Street, Boston, Mass to our regularly appointed agent to receive subscriptions for our paper in the States of Connecticut and Massa-

The WHIO can be had every week at the News Depot of R. H. Singleton, Post Office Building

Notice.

I am not now Assistant Special Agent for the nine months ago, since which time I have had no around him. connection with it. I make this publication because I am frequently applied to by letter for protensional and trade licenses. Several times I have made this announcement, and trust it will be understood after a while. I am not collector of internal revenue or government taxes.

John B. Brownlow.

Correspondence Between Gov. Brownlow and the Clerk of the U.S. House of Representatives.

The following official correspondence is brief but highly significant. Tennessee will be restored and no thanks to the President, her contumscious, rebelhous and ungrateful son. Thank heaven, after all the tempest we have weathered, our prospects are brighter and more cheering to-day, than they have

Washington, July 19, 1866. To Hon. W. G. Brownlow :- Have both branche of the Legislature of Tennessee ratified the pending Constitutional amendment, and (secured) its adop tion by Tennessec. Send a definite answer. EDWARD MCPHERSON,

Clerk H. R. U. S. NASHVILLE, Tenn., July 20, 1866. Edward McPherson, Clerk of the House of Repre entatives, Washington, D. C .- The amendment by been regularly ratified by both branches of the Leg-islature. The action of the Legislature will be offi cially transmitted to Mr. Seward without delay. W. G. BROWNLOW. Governor of Tennesson

R. Frazier in the Conspiracy.

The following document in the hand-writing of the dirty little pappy who edits the Knoxville Commercial, was picked up on the floor of the Senate and reveals the concardly and sucuking part the Senand correspondents

KNOXVILLE, July 3d, 1866. you predict, under the name of "Observer." You will oblige me much. Keep good watch of May hard! Let me knew the name of every member of both houses present. Don't lad to comply with my request, for the sake of the cause. J. W. PATTERSON.

of the Commercial. Buil Frazier, the Copperhead Prophet, is called upon to predict for the benefit of the re el couse .-We never heard lim and slung over the signature : "Observer" called by the name of prefictions be fore. But as the secret is now out, the Prophet will have to change his name, and make his rebel communications over some other signature!

Arrest of P. Williams.

The member from Carter county and his rebe friends take it very much at heart that he should b arrested by order of the House, and held responsible for absenting himself without leave. The 14th Rule of the House, made for its own government, and for which Mr. Williams roted and swore he would be governed, is in these words:

vice of the House without teacr first obtained; and in case a less number than a quoron of the House shall convene, they are b-roby authorized to send the door-keeper, or any other person or persons, for any or all, absent members, as the major ty of such mem bers present shall agree, at the expense of such men bers respectively, unless such excuse for non-atter dance shall be made as the House, when a quorum is convened, shall judge sufficient.

It is worthy of note that the men who appeared in vindication of the writ of habens surpus in this case, were the leaders of the Johnson Club, one of whom is John C. Gaut, a man who has gone over to the rebel side ever since he charged Thos. H. Calloway a \$5,000 fee for \$50 worth of labor!

Who Controls the Tennessee Legisla-Ince.

A Washington dispatch of the 13th to the St. Louis Democrat says

"For the past two days Mr. Cooper, the Presi dent's Private Secretary, has not hestrated to bons that Mr. Johnson had gained the centrol of the Ten- and ability. We predict for Judge Temple the hontaining it, and thus preventing a quorum assemb career of his able predecessor. of the constitutional amendment, which would secure the restoration of the State on the Congres-

Thank God! THE TENNESSE APOSTATE AND REN EGADE WHO OCCUPIES THE WHITE HOUSE DOES NOT control the Legislature of Tennessee. This noble body of men are FREEMEN, and bow the kneto no tyrant or usurper. Instead of being the tools of Andrew Johnson, they would not have him for a slave. Regardless of the dictation and money o patronage of Andrew Johnson, and the combined efforts of the trantors of the State, our noble Legislature has adopted the Constitutional Amendment by immense majorities in both Houses. All honor to the loyal legislators of Tennessee. All hail noble patriots, is the aspiration of loyal men through-

Tennessee in Line.

The General Assembly of Tannessee has ratified the constitutional amountments. The Son steratified by a vote of 15 to 6, and House by a vote of 43 to office of bolters and traitors. It has been a flores contest of loyalty and principle against part mage, sportate President, who has placed himself in th shoes of Jeff. Davis, striving to bring on another rebellion. The victory is a proud one for the gallant Union men of Tennoisec, and taker the wind out of the sales of those seeking to make capital out of our Congressmen being denied their seats.

Washington, that Andrew Johnson had his plans laid for superseding Gov. Brownlow, by the ap pointment of Gordon Grainger, as Military Governor, so soon as the constitutional amendments were defeated. Part of the plot was to use Judge France's decision against the House, a case in which the pliant Judge had no jurisdiction whatever. Let him appoint a Military Governor, if he dare. His impeachment in Congress will follow his usurpation, and a disgraceful expulsion will follow. His hatred tors will treat it with contempt. If they do not they of the Legislature grows out of the fact that neither are unworthy the high positions they occupy. branch will endorse him or his insune rebel policy .-His hatred of the Governor grows out of the fact that he cannot use him to promote his selfish ambition and corrupt purpose of restoring robels," and destroying the Union. We repeat, let him supercede it he dare, and take the consequences. Let him rant and rave, he can't intimidate Union men in or out of Tennessee. He has no party, he has no strength, and he commands only the respect of rebels | "It would be arrant impudence in us to appeal and rebel sympathizers.

A Good and Sufficient Reason. The two tion of this country shall be denied that liberty and deputy Sergeants sent to Jackson after Brown, of equality which we demand for ourselves, for our me to account for personally denouncing them, they Madison, returned to Nashville, and reported that country, and for our kindred." he could not be found. His brother, Milton Brown, told them that the President did not want such humbuggery carried on, was opposed to Brownlow. and that he would not aid in such work if he were | Legislature to arrest its contumacious members. Do found. This is a good reason for bolting, and all these organs believe that it was legal for Congress connected with the Banner, ever called for me, or with all deference to the Speaker, he must vote no, such no doubt get their pay, either in money or of- to vote men and money to put down the "hell-born sought to find me, as I challenged them to do in my as he conceived that the two members were certainfice! What a patriotic party! and hell-bound rebellion?"

"A" Mr. Trimble--"One" Trimble. Under the above headings the treasonable journals of East Tennessee team with denunciation of Hon. John Trimble, member of the State Senate

more than he, and none have expressed detestation of the "hydra-headed monster" in terms more unequivocal. Unlike the men who assail him, his lowalty does not date from the hour of pocketing a pardon or receiving a commission in the Federal -rmy by which to swindle the government and ennance private interests. He has always been a NA-TIONAL man, an enemy of so-called States rights and secession. In 1859, without solicitation, direct or remote on his part, he was elected to the State Senate. Here he fearlessly and ably met every advance of Isham Harris and his confederates in the vile purpose to dissolve our glorious government .-He met them fired by the zeal of a Percy, and guided by the wisdom of a Nestor. Though compelled to succumb to the gentle persuasion of bayenets, and an overwhelming majority of citizens hostile to "Union and freedom," he nevertheless maintained his integrity, and clung to his imperilled government "as the ship-wrecked mariner" cling-Treasury Department. This office I resigned about to the last plank when the night and tempest close Republicanism; and it is equally as natural

Virgil describes Mezentius surrounded by his en-

"He, like a solid rock by seas enclosed, To raging winds and roaring waves exposed, From his proud summit looking down, disdains Their empty menace, and unmoved remains."

Thus stands John Trimble and his noble compatriots in the disloyal districts of Tennessee, but from his and their "proud summit" of patriotism and exact justice to all men, he and they may well look down disdaining the vituperation and "empty menace" of unrepentant traitors. As we have said, Mr. Trimble has always been a national man; never a politician and time-server.

Like a majority of the loyal men in our Legisla. ture, be is serving the State and country at the sac rifice of private interests. Were he to consult these he would not be in the General Assembly. Selfish ness would prompt him to pursue the profession o the law, of which he is an able member.

When an impartial history of this great conflict in Tennessee shall have been written, the star of John Trimble will brightly shine in the constellation of Tennessee's illustrious law-makers.

Futile indeed are the efforts of the "Copper-John sons" to bring reproach on such legislators as Trimble and his associates. The traitors who attempt it are like those silly savages who let fly their arrows at the sun in the vain hope of piercing it, but, unneeding, the great luminary rolls on in its eternal and disfranchised men. The new world is

Appointment of Chancellor,

Oliver P. Temple of this city, has been commis sioned by Gov. Brownlow, as Chancellor, for the the period of eight years, of the 8th District, i place of Hon. S. R. Rodgers, deceased. Col. Temster from Knox is playing as rebel spy, informer | ple has accepted the appointment, and will at once enter on the discharge of the duties of his responsible office. In doing so he makes a great pecuniary line each day of what is done at Nashville, and what do this. Judge Temple is well known to the people old world. That party headed by John practitioners at the Bar.

A brief sketch of his career may not be uninteresting to our readers in other sections of the State who feel a lively interest in all that pertains to the

The Judge is a native of Greene county, and a slow-townsmen of Andrew Johnson until 1849. when he removed to this city. When he had been at the bar a short time, and by age was barely eligibie to a seat in Congress, he was, in 1847, nominased for this position by the Whig party, in opposition to President Johnson, candidate of the Democ-

Johnson and Temple made an animated and thorough canvass of the district, in which the latter made much reputation as a popular orator. The Democratic majority in the district, and the majority by which Johnson had been twice elected, was between twelve and fifteen hundred. In the contest with Temple he was elected by but three hundred votes. Since this time Judge Temple has not been a candi-14th. No member shall absent himself from the ser- date for any position save in 1860, as Presidential elector for this district, on the Bell-Everett ticket In this canvass he made able and eloquent appeals for the preservation of the government, charging DISUNION as the object of the leaders of the Breckenridge party, and predicting, (in the event of Lincoln's election | the secession of the Southern States and war on the gigantic scale which has desolated the country. It is hardly necessary to add that Judge Temple has remained faithful to the loyal pledges he then made. Had he not done so he would not have been commissioned by Gov. Brownlow. Though the Judge has not been a politician. he has not occupied an equivocal position on any

question affecting the public interests. He is and has been an ardent friend of the loyal State Government of Tennessee, and the great national party of the country which suppressed the

Notwithstending this, his appointment gives universal satisfaction, all acknowledging his integrity nessee Legislature, and will neglect no means of re- orable record as Chancellor, which has marked the America. You are striving to Europeanize

One Frazier, Judge of the Criminal Court of

Decision of a Rebel Judge.

by the most remarkable and stupid decision ever | gog ! emanating from a judicial officer in Tennessee. The Superintendent and Sergeant-at-Arms of the Tena gallant patriot who has been five times wounded fighting under the Federal flag, was summoned appear before this treacherous and shallow rained Frazier to "show cause" why he held cermin Legislative bolters and disorganizers under arrest. The House, by resolution, directed Captain Heydt to make return to the writthat he was a duly authorized officer of that body, and was simply obeying its orders given through the Speaker. Capt. Heydt was ordered to bring before his Honor (?) a traitor from Carter county, by the name of Williams, a prisoner in custody of the Captain, who attempted by rebeliion to break up the Legislature .-13. This ratification has been achieved against the This, under a resolution of the House, he respectfulcombined powers of the rebal press and reb liferces. By refused to do. Captain H. acted simply as the Andrew Johnson, Ed. Cooper, Judge Patterson, Agent of the Representative branch of our Gen and all their letter writing and appointment to | ral Assembly, whose orders he is sworn to obey It a not claimed that he did more than his orders recorruption and treachery most foul, backed by at the Judge Frazier or any other Judge in Tennessee. with the invitation of the speaker, sought for him bers domiciled in the Arctic Circle Number 3 posishment of refractory and treasonable members -Such impudence is unparalleled. The Legislature makes Courts and Judges, and this arrest of its officer is the very climax of treason and stupidity. It has now come to light, on authority from Our heroic and patriotic Legislators will not be swerved from their duty by this unjustifiable arrest. The examination or trial was to have taken place yesterday, and will certainly attract great attention from its exceeding novelty, to say nothing of its in-

> Since the above was written we learn that Judge Frazier has granted an application for a writ of habeas corpus for Williams. We trust our Legisla-Rather than see the laws trampled upon in the interest of traitors, we would see our beautiful State

converted into a vast battle-field.

comparable stupidity and treason to the State gov-

to the world in behalf of our own countrymen in their native land, while by our votes, and speeches, and our influence, we insist that any por-

the effort put forth by the friends of the tylerized President to show that "My Poli-That such should be the case is not unnatural or cy" is endorsed by Europe. Editorials astonishing. Treason loves to stab a shining son of from the London Times and other English loyalty, and the Senator from Davidson county is papers, and extracts from Continental pre-eminently of this class Traitors have cause to speakers and writers, are continually pabate John Trimble, for no man living hates treason raded before our eyes with a great flourish the dead Percy, and bore sloft his body in triumph of trumpets. Be easy, gentlemen! Don't as evidence of his (own) valor, seek to make the imservative eyes are charmed with the pros- for the Banner when it dies : pect of every despot, tyrant, monarchist, oligarch and aristocrat of the old world standing in your ranks-enjoy the prospet,

For the Knoxville Whig.

Johnson Endorsed by Europe.

gentlemen! we don't envy you. It is a notorious and undeniable fact that encouraged the Jeff. Davis rebellion now aids and encourages the Andy Johnson rebellion. Oh, yes! Europe is with you. It s pesfectly natural that monarchical England and despotic France should hate true that every man who loved Jeff Davis and his horde of traiters, should love this sham rebel-conservative Democracy. Therefore Triumph of the Unionists over the it is, gentlemen, that all Europe is with you. Does not the tyrant know his friends from his foes? Does not the monarchist know on whom to smile and on whom to frown? Does not the aristocrat know whom to praise and whom to denounce? Yes, genemen conservatives, the voice of the tyrant. the monarchist, and the aristocrat, is with land salutes you, but freedom, from her mountain home, frowns upon you in scorn-

teachings.

Americans! are you in favor of the European party? Beware of that party which the monarchists delight to praise and caress. If any one truth is plainer than it were from the very jaws of destruction. any other, it is this : the very best course ca was once the slave of Europe. Every master hates every freedman. Hence Europe's hate for America. The old world is fore fond of "stars, garters and titles of nobility," of crowns and sceptres, of slaves self-evident: that all men are created equal: that they are endowed by their Creator with | it legally. certain inalienable rights; that among these are life, liberty and the pursuit of governments are instituted among men, de- the House.

But there is also a new world party in the of East Tennessee, as one of our most successful Bright, and striving to put the ballot into their seats in the hall. the hands of English working men, is a new world party. The citizens of Switzerland, the free republic of the Alps, tell us, in their address to America, that they. too, belong to the new world party. But At this juncture of affairs was heard in the heavens, the English Liberals and the Swiss Republicans don't endorse Andy Turn-coat, the quondam tailor. How is this, gentlemen a sacrifice to Jupiter Tonans, and a native wreath Conservatives? The John Bright party for the eagle which stands over the Speaker's chair, and the free Switzers encouraged us to put | if the event should agree with the auspicious voice | down the rebellion and the London Times and Paris Moniteur party encouraged you to put down the United States. The Times Have they all changed but you? Have the was spontaneously carried, and a well defined negatits seat upon the bank of the Cumberland river. English tories and French imperialists eased to love rebels, and now love unionthe John Bright Liberals and the Swiss Re- he had voted no twice, and two negatives made an confess that we were deceived. Have not letters publicans ceased to love chionists and now affirmation ove rebels? or do they find union sts in us ! lovers of robels are rebel-lovers still; and be a deer. the lovers of unionists are union-lovers still. And who is the rebel and who the unionist? Those whom the despots, monarchists and aristocrats of Europe praise and caress, are the rebels. Mr. Conservative, thou art the man! And those whom

caress are the true and only unionists. But death to disguise! Why do you, conervatives, hold the doctrines of aristocrats. oe to Republican America? Are you aristocrats at heart? You are! You

advise Johnson to usurp all the powers of the government. You are tired of Republicanism. You are in favor of a dictator. You are the Catalines of the present age. You are traitors in sheep's our Republic. You are secretly working to build up an aristocracy of wealth, power and privilege in our country. You are in favor of taking the ballet from the poor white Nashville, an appointee of Andrew Johnson while | Then let Europe praise and endorse John-Military Governor, has recently gained notoriety son and the Conservatives. Gog and Ma-

N. B.—In writing of Conservatives, the late Copperhead, McClellan party is meant. nessee House of Representatives, Capt. Wm. Heydt, | The views, feelings, motives, and purposes of those rebels south of Mason and Dixon's line arc too plain for argument, and they, in the above article, are therefore not classed with their fellow rebels north of the line .-It is not for a moment supposed that the southern rebels will deny a single word in the above communication. If any body doubts that the South is in favor of Europe. wait till the next war, or read their new slave codes, or attend a meeting of the Johnson Club or go to Philadelphia on the 14th of next August!

A Card.

The Nashville Banner of July the 18th says: "In revised copy of the remarks made by Judge Houk at the capitol, published in the Press and Times of vesterday, an inselent personal assault is made upon | and put the appeal to the House, which sustained quired and justified. He is not, therefore, amenable the editors of this paper. We have, in accordance the Speaker by a vote of 37 ayes to 16 noes, the Through Captain H. the Legislature is summoned and failed to find him." Now, if it is intended by tively refusing to say age or no. before a "one-horse" court to answer for its pun- these lying and traitorous editors to convey the idea that my remarks at the capitol were not as offensive as delivered, as they appear in a revised copy peal for proof to the thousands who were there, if and beheld the "wery identical indiwidual" who dent's friends refusing to answer to their names in they were not more offensive as they fell from my had denied the doctrine of the "real presence."

lips than the revised copy comports? It was not desirable to encumber the columns of the Press and Times with the technical denunciations which I defiantly hurled against these political Lepers. I was much more offensive in my oral than in my published remarks. What I have here said refers to the first sentence quoted from this "institution of ill-fame," known as the Republican Banner. The succeeding sentence explains why this phere of Number 3. false impression is sought to be made. These low- bring them in, he should have a posse to help him. flung, cowardly and unconscionable editors, whose livers are as white in comparison with courage as the blue dinge of the smoky range on our Southern border is compared to the snow-clad Alps, de. They were present every whit as much as clare that, "We have, in accordance with the invi-NOBLE WORDS .- The Fenians of Chicago, for- tation of the speaker, sought for him but failed to their open door. They ought to be counted just merly pro-slavery Democrats, say in some recent | find him." So you see, gentle reader, I denounced | where they are. these dirty wretches on Wednesday evening, and remained at the place where I notified them I could eral approbation. be found until the Saturday morning following, and their cowardice having overcome their courage, and having failed to develop their chivalry by calling now attempt to whistle up their bravery by adding additional falsehood to their former infamous and shameless lies. I now state, upon the authority of bers present in the committee room were not on the Hon. Edwin M. Stanton, Secretary of War, Wash-

28, upon the streets, and passed the Banner office on purpose to see the chivalry, but was permitted to purpose to see the chivalry, but was permitted to The Speaker pleasantly responded that no apology was necessary at all. It would give him no offense was necessary at all.

The reading public cannot fail to notice drels who now pretend to have pluck. But after these editors knew I had left the city, and the time baving expired during which I informed them I would remain, like Jack Falstaff, the prince of cowards, who, according to Shaks- then asked, Shall the main question now be put? peare, rising from a feigned death, stabbed again Result: Ayes, 39, Noes, 15. Present and not voting, strain yourselves. We'll admit, willingly, pression they sought me. I will now inform these gladly admit that Europe is on your side. valorous editors that I shall visit Nashville again We'll admit more. We'll admit that not during the fall, and make a speech, when, unless in only Europe, but every other monarchical, the meantime they shall have ceased to preach trea- so triumphantly a few days previous. A number of of a public journal present a large portion of the digarchical, aristocratical and unrepublican son, I will denounce them as traitors again, and prominent citizens, tried and faithful, were also in region on God's green earth, is arrayed side give them another opportunity to find me, and seek by side with the Johnson party. And there satisfaction for what I have said or may say. Meanlet them stand! If your Democratic Con- while I suggest the following as a suitable epitaph

If heaven be pleased when mortals cease to sin; If hell be pleased when sinners enter in; If earth be pleased when e'er she lose a knave-Then all be pleased—the BANNER in its grave.

My official duties require my services, and I trust every European newspaper that aided and the public will pardon me for intruding this Card L. C. HOUK. upon their attention. P. S. Nashville Press and Times please copy. Clinton, Tenn., July 16, 1866.

> From the Nashville Press and Times, RATIFICATION OF THE CONSTITU TIONAL AMENDMENT.

President's Conspiracy.

VOTE 43 AYES TO 13 NAYS.

Let the friends of the Federal and State Government in Tennessee mark yesterday-the 19th of July-with a white mark in the calendar. After a The clerk, by instruction, called the names of Messrs. Martin and Williams a second time loudly, hard-fought and sometimes an almost desperate battle, the friends of freedom and justice have signally you, the voice of the oppressor in every triumphed, and their banners are gilded with the sunlight of a victory which shall never fade away. All honor to the courageous, persevering, indomi-table, incorruptible Unionists of the Tennessee Legful indignation, apostates as you are to her islature, whom neither the menaces of a rebel mob. nor the blandishments and bribes of an apostate President could frighten or seduce from the shinin g path of heaven-appointed duty. No warrior on the battle-field ever won a grander triumph than this sublime moral victory, which has been snatched as

THE CONTEST for every true American to follow is to go | On yesterday morning was a stirring, bristling and | asked the Speaker to decide if a quorum was preslirectly opposite to what Europe advises and exciting one. There was not a moment's lull in the ent. The chair decided that there was not, whereapproves. Europe hates America. Amer- proceedings. A previous conference had fully post- upon Mr. Arnell appealed to the House, and the it sends forth." I believe they yet apply with strong of action, and they kept up a continuous fire on their announced the ratification of the Constitutional tions were easily and certainly learned, this is the adversaries. The roll was called and FIFTY-FOUR Amendment passed by the Federal Congress. The of the past, the new world is of the future. two others in one of the committee rooms, who made enthusiastic clapping of hands and congratulations; The old world is conservative, and there- up the usual quorum. There was a murmuring col- members left their seats and went around shaking oquy between Garner, of Lawrence, and Smith, of hands, rejoicing heartily over their most happy de-Hardeman, as to whether the two members under liverance. arrest could be counted. Mr. Garner said no one was a warmer friend of the amendment than himpath way, shedding light and animation on all the progressive, and "holds these truths to be self. It ought to be passed, and he would sustain it to the extremity if necessary, but he wanted to pass

Mr. Arnell rose to a point of order. There was certainly a quorum in the House. In a technical sense the two members in arrest in the committee | Thursday to Benton county to summon Dr. Marahappiness, and that to secure these rights, room (Martin and Williams) were on the floor of ble, representative of that county to return to the Capitol. The officers went armed with papers show-

two members to their seats. He could not recognize them as on the floor while they were in the commit-How appropriate, then how becoming, is | tee room. it for Europe to endorse the Conservatives Mr. Moss asked if they would be competent mem- tired, but shortly afterward received information brick wall to a distance of six hundred feet, destroyunder arrest, and Mr. Baker suggested as a peace

> offering that they be released from arrest. Mr. Stegald called for the ayes and noes. Mr. Moss said if they were invited as qualified members he would vote aye, otherwise, no.

A GOOD OMEN. for a loud roll of thunder sounded to the right of the State House, from a magnificent bank of clouds, piled up almost to the zenith. We inwardly vowed

to vote age or no, and the good Samaritan of Harand Moniteur are with you; John Bright's deman, who always carries wine and oil for the af-Liberals and the Swiss are with us. How ficted, benevolently suggested that he be permitted s this gentlemen? Who has changed? - to vote no, just to facilitate business! The motion of the House of Representatives. Mr. Fuson suggested that according to the rules

Mr. Mailory said the vote could be taken either

The House must first give its parole of honor that | late his oath and trample upon the laws to accomthe lovers of freedom in Europe praise and it had no unlawful designs upon their political vir- plish the most trivial purpose, if it could be accomcome in. It was not necessary to tell these members | feat the election of a United States Senator. He what the House wanted with them. We were not has now advised his followers to break up the Legmonarchs, and despots? and why do you re- here to hire them to take their seats. It was their islature, in order to defeat Governor Brownlow

poice in the applause of every hereditary duty to come in, and if they refuse, it is our duty to overthrow the Union party, which supported him bring them in. Again it thundered on the right, from 1862 to 1864, and delivered the State up to and the elements above clapped applause to Mr. rebel leaders, who carry his pardon in their pockets. Raulston's declaration. THE PREVIOUS QUESTION CALLED. Mr. Mullins moved the previous question on the

adoption of the Constitutional amendment. This shot brought several members to their feet on the President's side, who saw a storm coming, and sought clothing. You are the party of Europe in to impede its progress by hoisting their constitu-ENDURANCE OF COLD. The door of Committee Room Number 5 was

opened, and the arrested members would ever and anon peer out their heads and draw suddenly back. In spite of the call for blankets on yesterday, one man, rather than extending it to all citizens. of the contumacious had on a linen duster, and the other was walking about in his shirt sleeves. Habit crat at Washington who, to his other titles, has adand to become, like the Roman youth, patiens frigo. that he cannot use the General Assembly of Ten-The Speaker entreated Mr. Mullins not to insist

n his motion. He hoped the recusant members would again be asked to take their seats. Mr. Arnell said the House already had official information that the two arrested members were on the floor of the House by the report of the door-

The reading of the resolution of ratification as basse by the Senate was called for. Mr. Mullins again moved the previous question

on the adoption of the Senate resolution. Mr. Jarvis insisted that he had the floor and meant a hold it. He was not going to see the rights of the people of the great State of Tennessee thus ruthless trodden upon. Mr. Mullins insisted. Mr Jarvis persisted.

The Speaker said he was profoundly sorry to do any member wrong, but he did not recognize Mr. Jarvis as holding the floor, Mr. Arnell rose to a point of order; this whole discussion was out of order. Mr. Jarvis appealed from the decision of the peaker and claimed the floor. The Speaker said he was exceedingly glad of it

pers domiciled in the Arctic Circle Number 3 posi-Mr. Arnell said that Mr. Martin was then present, but refusing to vote, whereupon Mr. Martin indignantly responed that he wasn't present at all. The House looked as incredulous as doubting published in the Press and Times, I beg leave to ap- Thomas, as they glanced towards the Martin-box

> THE MOUNTAIN MOVES TO MAHOMET. Several members hereupon arose to their feet and mainted that the two members be brought in in-

stantly. As the members wouldn't come to Doorkeeper Hill, the obliging doork eeper again went to | Claiborne, Kerchival, Mason, McNair, Morris, Multhe obstinate members, who, with a good deal of lins, Mulloy, Murphy, Norman, Nunn, Patton, vehemence, vowed that they wouldn't come in. The Porter of Wayne, Puckett, Raulston, Richards, wehemence, vowed that they wouldn't come in. The doorkeeper was treated with coolness, and seemed to shiver as he again withdrew from the frigid atmosshiver as he again withdrew from the frigid atmosweters Welker Welsh Wines. Woodcock Woods, the world. Mr. Raulston said that if the doorkeeper couldn't

VOICE OF THE GOOD SHEPHERD. Mr. Shepherd said that he saw no necessity for dragging the recusant members into their seats .-if they were sitting in their chairs. The whole

House knew it, for they were plainly visible through Mr. Shepherd's remarks were received with gen-Mr. Arnell said let them be marked by the clerk on the journal as present and not voting.

ANOTHER APPEAL. The Speaker said he would so direct the Clerk, but he was compelled to decide that there was not a quorum in the House. If it was desired, an appeal ould be taken and he would put it to the House with great pleasure. He decided that the two mem-THE rebel organs deny that it is legal for the Captain Stacey, proprietor of the Stacey House, that floor of the House; the question is, Will the House neither Watterson, Roberts, "or any other man" sustain the chair?

speech at the capitol. I was often at my room, No. ly on the floor of the House.

Mr. Malloy made some remarks to the same purif he was not sustained. The result was for the appeal 42, against it 11, the Speaker not voting, and the two contumacious members refusing to respond. So the appeal was sustained, and the House decided

THE LAST ACT. The scene on the floor of the House was one of unwonted interest. The Senators were present almost en masse, anxiously awaiting the action of the House on the amendment, which they had ratified attendance, almost as anxious to see the triumph of the Congressional amendment over the President's atrocious conspiracy as they were to see Hood's legions repulsed from Nashville by the gallant Thomas and his invincible army. (God bless them forever and ever!) Ab, who can tell how deeply these noble citizens felt. They had been watching the progress of the struggle between patriotism on one side and treason and Presidential corruption on the other for weeks, and within the past few days threats of violence and menaces from the lips of unrepentant rebels had been made in secret caucuses and in bar rooms. Had not an infamous attempt been made the day previous to drag the Legislature before a court to answer certain charges? Had not its duly authorized Sergeant-at-Arms been chased by a warrant and ordered to answer for his conduct as an of- tiary in one sense, as nearly the same thing to them; not heard curses muttered against General Thomas. and threats made that Governor Brownlow's head would soon come off, and the Legislature expelled from the State House? No wonder that Union men who had witnessed and heard these things for weeks past listened with breathless attention as the clerk read the amendment for the last time, and the main question was put, Shall the resolution pass? The clerk called the roll. Jarvis complained loudly that it was forced upon the people, and voted | Executive as an unscrupulous demagogue and tyrant. no, with a promise of a protest. MUNCHAUSEN'S BUGLE

Martin and Williams.

votes? A committee on acoustics may be appoint- a single original rebel disagrees with or dissents ed by some future House to explain the phenomenon. What if the two negatives should be counted as one affirmative ed the friends of the amendment as to their course appeal was sustained by 42 to 11. The Speaker then force; and if ever a time has occurred when posimembers answered. Mr. Arnell said that there were announcement was welcomed with prolonged and

The President's Rebellion in the Legislature--- Duty of that Body. The officer deputized by the House to arrest the lion's skin. fugitive members who contumaciously refused to appear in their seats, sent two assistants on last riving their just powers from the consent of The Speaker asked the doorkeeper to invite the ing their authority to arrest the delinquent and contumscious member. On arriving at Dr. Marable's house, they were told that he had gone to a place called Camden. The officers thereupon reavoid arrest. A relative of the delinquent was met | was killed. Mr. Mullins moved that they be invited to take armed with a gun; whether for the purpose to make a forcible resistance in case the officers should attempt to make an arrest must be left for the public to conjecture. Benten county, it will be remembered, is the home of Dorsey B. Thomas, late a conservative member of the House, an opponent of the gale. Mr. Arnell's for Congress, and an ardent supporter of Andrew Johnson's policy. Mr. Thomas recenttation with the leaders of the Johnson-Rebel-Democracy. That he has given Dr. Marable his instructions, duly received from Washington, there is abundant reason to believe. Thus is the dignity of the House insulted, its officers and messengers treated with contempt and menaced, and its official requisitions set at nought. How long does the Mr. Moss was perplexed. He didn't know whether | House intend to permit this mockery of its proceedings to go on while it is waiting for an increase of not reported. The Board of Health has established its members, which the President and his fellow-con- a quarantine of five days upon all vessels arriving, spirators in the Legislature have determined shall even those with clear bills of health will be quarannever take place? That body might as well take | tined three days. fire was thereupon taken for Mr. Moss in the camera | and wait for the last drop to pass by in expectation of crossing dry shod over its dusty bed. If fifty- evening. The disease is on the increase. six members ever take their seats in the House, by ists? or do they find rebels in you? Have of grammar, Mr. Moss had voted age, inasmuch as mere waiting during the next six months, we shall Prussia, on the 17th. There were 148 cases in Berbeen seen in the hands of Senators and Representatives, which were written by the hangers on and way, like the hunter's shot which was to miss of its | feeders of the secret service fund of the President ! Ah. gentlemen, the truth is too plain. The aim if it was a calf, and hit if it should happen to Did not a member from Andrew Johnson's own district, say openly, on our streets, that he came here to break up thisd-d Legislature and by G-d Doorkeeper Hill returned from Committee Room | he had succeeded ! Our duty is plain. We must No. 3, in which sat the contumacious members- flank the rebels and foil their leader, the President. Martin and Williams-and reported to the Speaker | The public men of this State know him of old as that they positively refused to come out or come in, an unscrupulous trickster and a dishonest partisan. except for an investigation of charges against them. Andrew Johnson never hesitated a moment to vio-Mr. Raulston moved that they be compelled to State, and broke up the Legislature, simply to de-Unionists of the House, do you mean to be thus circumvented and bullied by an apostate President, who has succeeded Jefferson Davis in the command of the ranks of rebellion, or have you not rather resolved to stand together and carry your point?-Let a movement be made without further delay it the assertion of your constitutional rights. The your body to prevent the transaction of public business. This is a patent fact. The proof is clear, manifold, and overwhelming. The men who have been tampered with and corrupted are known .-Others have been approached, and have, like patriots and honest men, spurned the tempter and his bribes. We fervently trust that the corrupt autoded that of Corrupter of State Legislatures, will find

nessee as a parcel of puppets, to leap, jump, and gyrate at his bidding. There is a great parliamentary common law, established by the custom and precedent of Congress, which is abundantly strong ough to relieve the House from the obstacles put its path by the President's agents and tools .-Congress did not suffer the withdrawal of eleven States to leave it without a quorum in 1861. There are now in the House more than two-thirds of the whole number of its duly elected members, not counting vacancies. Let this two-thirds proceed promptly to the discharge of the duty imposed upon vet discovered. .- Nashville Press and Times.

From the Nashville Press and Times.

RATIFICATION OF THE CONSTITU-TIONAL AMENDMENT BY THE LEGISLATURE.

43 Ayes to 13 Nays. Glorious Triumph of the Unionists. Disgraceful Defeat of the Johnson Dis-

organizers. GOVERNOR BROWNLOW'S COMPLIMENTS TO THE PRESIDENT.

The Unionists achieved a brilliant and honorable victory in the House of Representatives yesterday morning at 11 o'clock. The Constitutional Amendment was ratified by vote of 48 to 13, two of the Presiorder to baffle the Unionists. The trick failed utterly, however, and the Journal of the House shows a full uorum on the final vote. Ayes-Messrs. Anderson, Arnell, Baker, Blackman, Donaldson, Doughty, Elliott, Fuson, Garner,

Noes-Clingan, Coward, Grove, Jarvis, Melton, Moss, Overstreet, Shultz, Stegald, Warren, Speaker

Gilmer, Grimmett, Hudson, Hale, Inman, Jones of

Heiskell.-11. President and refusing to vote-Martin, Wil liams.-2. Quorum 56 The struggle has been severe and protracted, but the friends of the State and Federal Government have whipped their foes fairly at every point. The result was announced amid prolonged and enthusi-

astic clapping of hands and general exultation. The rebels and disorganizers are completely foiled in spite of all the help which they received from Washington. The loyal men of Tennessee by this voto repudiate the President who has so basely betrayed them. MESSAGE TO THE PRESIDENT. NASHVILLE, Tenn., July 19,)

12 o'clock, M.

ington, D. C .: My compliments to the President. We have car-When Mr. Elliott's name was called he said that ried the Constitutional Amendment in the House. Vote-43 to 11, two of his tools refusing to vote. W. G. BROWNLOW, Governor of Tennessee.

NINE prisoners, in charge of the sheriff and a complement of guards left here yesterday on the Cherokee for Nashville. Whether they were destined for the penitentiary, or to assist the Rump Legislature in forming a quorum we are not ad-

Mr. Editor :- The above is from the editorial that there was a quorum present. The Speaker

contempt upon the Executive and Legislative departments of our State. Or, suppose I am mistaken as to the object of the editor, and for the sake of his reputation as a man, it would be well-bad as the alternative would be-then we have the editor Session of a Circuit Court, and sitting within 300 feet of his office. Nine prisoners are convicted and sentenced for the crimes of robbery and larcenry, who are started off under charge of the sheriff of the county, and the editor "is not advised" whether their destination is the State Legislature or the Peni-

To all this there is a definite sequel and an unmistakable moral: namely, those who are opposed to the organization and administration of our State Government, on a strictly loyal basis, on loyal principles and by loyal men, naturally and necessarily look upon our Legislature and State Penitenficer of the House of Representatives? Had they that is, they are both their enemies one convicts and the other confines and punishes them or their friends. The devil is said never to speak favorably or respectfully of the Church of Christ, and "a criminal has a poor opinion of the law." I wonder what special object the editor of the

East Tennesseean has for denouncing the Legislature of his State as "a rump Legislature" and the Are they acting disloyally? Are they acting with the enemies of the State or General Government? The editor does not so charge. Then what does he mean? Is he truly loyal and unqualifiedly a friend but they remained as dumb as if the extreme low temperature of Number 3, where blankets are re- to the United States Government? Then why his quired in July, had frozen their voices as solidly as | peculiar language? Does he speak his own sentithe notes of Baron Munchausen's bugle. Who knows ments and for himself; or for somebody else? but that on some future day when Captain Heydt Nine-tenths of the true loyal men of his county builds a rousing fire in Number 3, that its walls may be astonished with the explosion of two negative disagree with him directly and positively; and not from him. Are our old time-honored maxims worth anything in these latter days? Such as Mr. Arnell asked that the journal show that two | "Straws show which way the wind blows," "Birds members were present and not voting, and then of a feather flock together," "A tree is known by its fruit," and "A fountain by the stream of water time. The question is what we may call "an open

Those who merely profess friendship to the Government of the United States, but by their words and actions assault and seek to cripple and destroy it, will be no more successful in deceiving the true men of the country than did the ass when he sought to frighten the beasts of the forest by wearing a A RADICAL.

News Items.

-the old world party in the new world !- bers, even if they were brought into the hall, while rendering it strongly probable that the honorable ing several trees; and the other two passed through

John's Chapel and St. Theresa's Church in this city, were struck and slightly damaged. A ship was also struck, and two men on board killed. Twelve unfinished houses were destroyed by lightning and The latest Mexican advices report Tampico and

Tuxpan taken by the Liberals. Gen. Comoried dely spent several days in this city in constant consul- serted the Imperialists and surrendered the former city. The relations of Maximilian and Marshal Bazine are said to be friendly. Cotton strong, 36@38. Sales of yesterday were ,000 bales. Gold 1 50%. Sterling 9% for sixty days. NEW YORK, July 20.—Death is making fearful havoc. There were seven hundred and twenty deaths from Sunday to Wednesday inclusive. It is believed there are cholera cases in private families that are

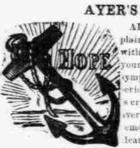
> NEW YORK, July 22 .- Fourteen cases of cholera were reported for twenty-four hours, ending last Foreign advices report cholera raging at Stettid

SPECIAL NOTICES.

ITOH! ITOH! ITOH! SCRATCH! SCRATCH! SCRATCH! WHEATON'S OINTMENT

Will Cure the Itch in 48 Hours. Also cures SALT RHEUM, ULCERS, CHILBLAINS, and by all druggists. By sending 60 cents to WEEKS & POT-TER, Sole Agents, 170 Washington street, Boston, it will be forwarded by mail fewer washington street, Boston, it will be

AYER'S PILLS.



ARE you sick, feeble and complaining? Are you out of order with your system deranged and your feelings uncomfortable? These uptoms are often the preclude to us illness. Some fit of sickness creeping upon you, and should be rted by a timely use of thoright emedy. Take Ayer's Pills, and

purify the blood, and let the fluids move on unobstructed a health again. They stimulate the functions of the body act upon themselves and the surrounding organs, producing general aggravation, suffering and derangement. While it restore the natural action of the system, and with it the buoy None who know the virture of these Pills will neglect to em ploy them when suffering from the disorders they cure, such as Headache, Foul Stomach, Dysentery, Billous Complaints, Indigestion, Derangement of the Liver, Costiveness, Constipation, Heartburn, Rhoumatism, Dropsy, Worms and Sup-

pression, when taken in large doses. They are Sugar Conted, so that the most sensitive can take them easily, and they are surely the best purgative medicine

For the Speedy and Certain Cure of In-Remittent Fever, Chill Fever, Dumb Ague. Periodical Headache, or Billious Headache, and Billious Fevers; indeed, for the whole class of diseases originating in billary derangement, caused by the ma-

laria of miasmatic Countries. This remedy has rarely failed to cure the severest cases of Ohills and Fover, and it has this great advantage over other Ague medicines, that it subdues the complaint without injury o the patient. It contains no quinine or other deleterious abstance, nor does it produce quinism or any injurious effect whatever. Shaking brothers of the army and the west, try it and you will endorse these assertions. Prepared by J. C. AYER & CO., Lowell, Mass., and sold by

MRS. WINSLOW'S MYSTIC PILLS For females are the only reliable female pills in the market.— They are mild, and no bad effect arises from their use. Pay dollars for a good article, rather than one dollar for a poor one. Mrs. Winslow's Pills are superior to all others.

Price 82 per box, or three boxes for S5. Ask for Mrs.

Winslow's Mystic Pills—take none other. julyim

and retail by E. J. SANFORD & CO.

A Crown of Glory. Every man, woman child who has used

Sterling's Ambrosia

IT IS WARRANTED TO PLEASE. It cures Itching of the Head.

It Makes New Hair Grow on Bald Heads.

It Prevents the Hair from Falling Out. It Renders the Hair Soft and Glossy. Cleases the Scalp. Cools the Heated Brow. Removes Dandruff. Cures Nervous Headache. Cures Baldness. Insures Luxuriant Locks. Inclines Hair to Curl. Supersedes Wigs. Kills Hair Enters. Good effect appa-

STERLING'S AMBROSIA MANUFACTURING CO ... 215 Fulton Street, New York.

ERRORS OF YOUTH.

Mr. Editor:—The above is from the editorial columns of the Kingston East Tennesseean, of the lith instant.

Its object is manifest—seeking to cast odium and contempt upon the Executive and Legislative de-No. 13 Chambers Street, New York.

COLGATE'S HONEY SOAP. This celebrated toilet Sonp, in such universal demand,

emollient in its nature, fragrantly scented. and extremely beneficial in its action upon the skin.-For sale by all Druggists and Pancy Goods Dealers. feb21-ly

MARRIED,

On the 12th inst., by Rev. S. H. Smith, at the residence of t. Havnes, Esq., Mr. FRED. W. WALKER and Miss SUSAN TAYNES, all of this city. On the 12th inst., at the residence of the bride's father, Morristown Tenn., by the Rev. Wm. H. Howell, Mr. H. DAILY, and Miss SARAH E. HUFFMASTER, all of Morr

NEW ADVERTISEMENTS.

wn, Jefferson county, Tenn.

MELIUS, CURRIER & CO.,

T. I. VAN GILDER, of Tennessee,

Manufacturers of and Dealers in BOOTS and SHOES.

38 Warren Street, New York

INSOLVENT NOTICE.

A LL PERSONS HAVING CLAIMS A against the estate of Wm. 8. Half, deceased, late a citisen of Knox county, Tenn., are hereby notified to file them
properly anthenticated, with the Clerk of the County Court,
on or before the 15th day of October, 1806, or the same will be
forever barred both in law and equity, the insolvency of said
estate having been suggested to the County Court of said county, July 15th, 1806.

M. D. BEARDEN, Adm'r.

NOTICE OF INSOLVENCY. THE INSOLVENCY OF THE ES-TATE of Wm. Brown having been properly suggested to
the County Court of the county of Anderson: It was ordered
by the court that siliereditors of said Estate file their claims
authenticated, in the manner prescribed by law, with the
Clerk of the County Court for the county of Anderson, on or
before the 1st Monday of December, 1866, that they may resive their pre-rate of said estate. This 2d day of July, 1866,
July25-619

L. D. BROWN, Administrator.

CIRCUIT COURT RUTLEDGE. Second Judicial Circuit, Grainger County, Tennesses

A. P. Brooks vs. William M. Gray, et als.

[T APPEARING FROM THE AFFI-DAVIT of the plaintiff in this cause that the defendant, Rice Ore, so absconds or conceals himself that the ordinary process of law cannot be served upon blue. It is ordered by the court that publication be made for four successive weeks in Browniow's Whig, notifying said defendant to appear at the next term of the Circuit Court at Entledge, on the 4th Monday of August, 1856, to plead, answer, or demur to the demand of the plaintiff, or the same will be taken for confessed. and the cause proceeded with ex parts.

July 19, 1806. pfoit THOMAS LATHIM, Clerk.

Decision of the Supreme Court. UDGES-SAM MILLIGAN, JAMES C. SHACKELFORD, AND ALVIN HAWKINS.

THOMAS H. CALDWELL, Attorney General and Re-BROWN, et al, vs. BIBB, et al.

New York, July 19.—There were 320 deaths yesterday from all causes. Total sunstrokes this summer 258, of which 133 were fatal.

The Rope Factory of Lawrence & Sons, at Williamsburg, was struck by lightning. Four boilers exploded—two of which were driven through a brick wall to a distance of six hundred feet, destroying several trees; and the other two passed through a brick stable and fell some distance off. One man was killed.

The Presbyterian Church in Brooklyn, and St. John's Chappel and St. Thereas's Church in this city.

the tort may be waived and an action of debt supported for itvalue. The actions being consolidated were heard by the
Circuit Centrupon an agreed case, from which the following
facts appeared: In February, 1813, John Bibb, a citizen and
resident of Virginia, died intestate, leaving his widow. Susannah Bibb, and three children, who are the designdants in error,
(the said Philemon W. then being ton years of age, Sarah H. 7
and Susan C. three years of age,) his only hetrs and distributies, and all of which resided in Virginia. At his death the
said John Bibb was the owner (among other slaves) of the negro named Lettic, and a negro girl named Ann. No administration was ever had upon his estate in Virginia or elsewhere,
and there was never an allotment of dower to the widow, either of land or slaves. In November, 1817, the widow with her
three children above named, removed from Virginia to Kentucky, carrying with them the negro Lettic and Ann. In
1836 the widow sold in Kentucky the negro Lettic one Joseph
H. Hough, of Nashville, Fennessee, by bill of sale which was
duly registered, conveying to him the entire slave absolutely,
and said Hough thereupon carried said negro to Nashville
with him, where she is at present, and claimed her advancely
to everybody up to his death, (which was in 1814, and by his
will bequeathed said negro to the plaintiff in error, Ellen D
Hough, who in like manner, has held and chaimed her ever
since, adversely. In April, 1852, the widow sold in Tennesse,
by bill of sale, which was duly registered, the negro Eliza
Jane, child of negro women Ann, to the other plaintiff in ertenes of Recorn, conveying to each effect slave also high. Jane, child of negro women Ann, to the other plaintiff in er-ror, Joseph G. Brown, conveying the cathe slave absolutely, and he has held adversely to everybody since. The sales to

said Hough and Brown (as to them.) were made bona nee, and for a valuable consideration, and without knowledge on their part of the claim or interest of defendants in error. In 1824 the said Sarah H. married Thomas Anderson, Zho died in 1840, leaving her his widow, and she has remained on married up to this time. In 1829 the said Susan C. married Calvin W. Webb, the latter of whom died just before this in-stitution of these suits. In 1835, about the last of april or the first of May) the widow, Susannah Bibb, depurts 1 this life in

first of May) the widow, Susannah Bibb, departs (this life in Kentucky.

The Circuit Judge was of opinion that the claim of the plaintiffs below, as to the two-thirds of the value of the slaves in controversy, was barred by the statute of limitations; but as to the remaining one-third (in which he held the widow had a life estate), they were entitled to recover. From the judgment given in pursuance of this opinion, the defendants below appealed to this court.

By the law of Virginia, in 1813, and always as at common law, upon a decedent's death, the legal title to his personal estate, (and slaves have been personalty there since 1722) devolved upon his executor or administrator in trust; first, to pay his debts, and afterward to distribute to legatees and distributes. If the decedent died intestant, the legal title is to abeyance until an administrator is appointed, and no one, not even a distributes, can rightfully take possession of the

after the payment of debts, one-third of the surplus, when there are children, but she shall have no more than the use for her life of such slaves as shall be in her chare, and this has been the provisions of the Virginia law since 1792. Her share in the slaves—whether designated by the term dower or other phrase—partakes of the lasting of personalty, and is to administered and distributed upon principles applicable to that species of estate. No particular allotment of the widow's share of the personalty seems requisite us in case of dower. She cannot, indeed, rightfully appropriate it without the assent of the personal rupresentatives of decement, that assent may be proved by implication, as well as directly, and if it be untensonably withheld, the reverse of the wisew, like that or any other distributies, is to a court of equity.

Ke ping in view the forecoing principles which from such knowledge as we have been able to obtain—we believe to be a correct statement of the Virginia law; we appealed that the complexion of the present case is determined by the common law.

(over her one-third part) in the absence of any grant of administration was, we take it, an executive demands t, and her aliences would be equally wrong does and in no better condiion. But, having the possession, they can hold it against any person save a creditor or administrator of the decedent—being liable to the first as an executor if each or, and to the second because he is the representative of the deceased, upon whom because he is the representative of the decrased, upon whom the law basis his right to the personal estate to be held by him for the payment of debts, and for distribution among the next kin of the intestate. The defendants in error, as distributes, stand in neither of these relations, and, therefore, cannot sue for the personal property of the intestate, nor demand, a distribution of it from any person save the administrato r of his estate, and he has never been appointed. This rule a ophies alike to sairs at law and in equity, as no court through its instrumentality, can allow parties to recover property, when they would themselves thereby become executors de son had. strumentality, can allow parties to recover property, when they would themselves thereby become executors do and had, which implies a wrongful interference with the property of the intestate. Thurman vs. Shelton, 10 Yet. 1885. Goode vs. Goode, 2 Murph., 335-6. Humphreys vs. Humphreys, 3 par. Williams, 130. We do not perceive how the force of this com-mon law rule, fand which prevails equally in Tonnesses and Virginia, is, in this case, obviated by our act of 1817. ch. 61. This court in the construction of this statute, has held that since its passage slaves in Tonnesses do not like other personal estate, vest in the personal representatives, but descend to the distributees like lands to the heir, subject to the claim of creditors. But at the common law neither logices nor distributees. AYER'S AGUE CURE.

For the Speedy and Certain Cure of Intermittent Fever, or Chills and Fever.

Ayer's ague to the executor or administrator is given. They only have an incheate right to the surplus, after the payment of the debts. It is only a right of action, the property still remaining in executor or administrator. Suced and wife each of the control of the control of the control of action, the property still remaining in executor or administrator. Suced and wife each of the control of the con possession of the thing devised or the distribute of his distribute ire share, without the assent of the executor or administra-tor, as the case may be, the latter may have an action of tres-passe against him. 3 Bac. Ab., 255. This was the law of both Virginia and Tenhesse at the time of the decelent's death, and is yet so, except in the latter State, as to share, more than

nirteen years after the intestate's death—the rule not cha ed by the above statute—anterior to which it was held by our predocessors, that an executor or administrator might sell, give away, or dispose of as he thought proper the slaves of the the shives, not in Virginia at his death—when the rights of parties become fixed—and we do not suppose that this act of Assembly was intended to have any application to a case like the present. It does not so purport; and without discussing the power of the Legislature to have given this act a retrovertive effect upon the facts before us, or to legislate touching roperty and persons abroad as were there. It is sufficie chast it bears no such construction, leasn chast, 178, Smith vs. Brady, 7 Yer, 447—15 It may be that it is now too late to obtain a grant of adistration, (the intestate having been dead over thirty years,) so as to afford the parties a remedy, if, indeed, therd could be any after such delay, but to this we cannot look. Acts 18.1, chapter 24, section 3.—18.5, chapter 50, section 3—Code, section 2.220—I Hill's, ch. rep. 376—382.

If it appeared that administration had been granted on this estate, or muon search that no relience of the country of the cou

estate, or upon search that no evidence of the grant be found, or the record was silent as to the fact, and me to whether the or the record was ment as igned her, then her long continued widow's share had been assigned her, then her long continued possession, after a reasonable time for the payment of debts, and her use of the shave, as her own, might, perhaps, under the circumstances of this case, justify the supposition she held them as distributes for her life, the reversion being in her chil-dren to be enjoyed at her death. Administration and the as dren to be enjoyed at her death. Administration and the as assent of the personal representatives to the possession of the widow, or whatever else was requisite to tasks her helding lawful might be presumed. Biddlehnover, et al., vs. Khard, administrator, et al., vs. Khard, administrator, et al., vs. 4 Hill's, ch. -, 370. But here it is expressly stated in the agreed case that an electricity are see had, and that the inflore's part had sever been allowed for, thus destroying all ream for presumption, and showing that the possession of ued from the intestate's death, to the sales before recited—but perhaps this is fairly to be interred from the agreement of facts—nor is it shown that the children held possession with her but were it reasonable to believe they resided in the family un-

but were it reasonable to believe they resided in the family until they came of age, or married and them left, it to not perceived how this could aid them. It would be unsafe to deter possession so long continued as those of the plaintiffs in the possession so long continued as those of the plaintiffs in the possession and that of their vendor, unless it were shown that the widow here has only a life south subject to a reversion. But this is not done. How are we to know that the claran now setup has not been extinguished? The long and continued possession and use of the property—with the silence and acquisecence of defendants in error furnish evides for that this is so. Who got the other slaves and property of the estate—the children or the widow? What are the equities between them?

If, on the other hand, there was any analogy between the chare of a widow in the slaves, and her dower in real estate (and we think there is none,) still we understand the law of Virginia (as was the common law,) to be that until her dower was assigned her—she had to silve the control her dower was assigned her—she had no silve the control her dower was assigned her—she had no silve the control her dower was assigned her—she had no silve the control her dower was assigned her—she had no silve the control her dower was assigned her—she had no silve the control her dower was assigned her—she had no silve the control her dower was assigned her—she had no silve the control her dower was assigned her—she had no silve the control her dower was assigned her dower the control her dower the control her dower was assigned her dower the control her dower TO THE LADIES WE SAY,

the Ambrosia will suit you to a T. Elegantly put up.
Delicately Perfumed. Patronized by Opera Singers and
Actresses. Sold in splendid boxes or cartons, containing

No. 1.6 a company

To THE LADIES WE SAY,

(and we think there is none,) still we understand the law of Virginia (as was the common law,) to be that until her dower was assigned her—she had no title to the possession of any part of the land, and hence that her possession or that of her alliance as against the heir was tortions, and gave an instantaneous cause of suit. The only modification of this do trine in the Virginia statutes, is as to the manson house of the husband, and the messages or plan taken thereta helography.

Actresses. Sold in splendid boxes or cartons, containing two large bottles: No. 2 for morning—No. 1 for evening.

THERE IS NO MISTAKE ABOUT IT, STERLING'S AMBROSIA is the best, most agreeable and effective toilet article in the world. To prove this try a carton.

Sold by Druggists.

In the Virginia statutes, is as to the mansion house of the husband, and the messnage or plan taken thereto belonging—in which the widow was authorised to remain until her dower in her husband's lands should be assigned to her; and it is to this statute that Chancellor Kent refers in the 4th volume of his Commentaries, 62, (2d edition.) The common law, in other respects is unchanged. Chapman vs. Armstead, 4 Marp., 382-398. Moore vs. Gilliam, 5 Murp., 346-348.

The result is the judgment given for the defendants below upon the agreed case.

WRIGHT, Judge.

The foregoing opinion is adopted as the opinion of this centre.

The foregoing opinion is adopted as the opinion of thi HAWKINS, Judge, Attest: J. G. FRAZER, Clerk.